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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
ANTONIO LOZA-LOZANO and )  
ALFONSO CERVANTES REYES, )  
 )  
Defendants. )  
\_\_\_\_\_ )

No. CR 05-00516-JF

STIPULATION AND ORDER  
RESCHEDULING STATUS HEARING  
AND EXCLUDING TIME

IT IS HEREBY STIPULATED by the undersigned that the status hearing in this case, currently scheduled for Wednesday, December 12, 2007 at 9:00 a.m. be vacated and rescheduled for Wednesday, January 30, 2008 at 9:00 a.m. The parties further stipulate that the court may exclude the period of time from December 12, 2007 through and including January 30, 2008 from the computation of the period of time within which the trial must commence for the reasons set forth in the proposed order below.

It is so stipulated.

1 Dated: \_\_\_\_11/28/07\_\_\_\_

\_\_\_\_\_/s/\_\_\_\_\_  
JOHN N. GLANG  
Assistant U.S. Attorney

3 Dated: \_\_\_\_11/28/07\_\_\_\_

\_\_\_\_\_/s/\_\_\_\_\_  
RICHARD P. POINTER  
Attorney for Antonio Loza-Lozano

6 Dated: \_\_\_\_11/28/07\_\_\_\_

\_\_\_\_\_/s/\_\_\_\_\_  
JOHN M. RUNFOLA  
Attorney for Alfonso Cervantes Reyes

9 **ORDER**

10 Based upon the stipulation of the parties, it is hereby ordered that the status hearing in this  
11 case, previously scheduled for Wednesday, December 12, 2007 at 9:00 a.m., be vacated and  
12 rescheduled for Wednesday, January 30, 2008 at 9:00 a.m.

13 Pursuant to Title 18, United States Code, Section 3161(h), the court excludes the period of  
14 time from December 12, 2007 through and including January 30, 2008 from the computation of  
15 the period of time within which the trial must commence. The court FINDS that the ends of  
16 justice served by the delay outweigh the best interest of the public and the defendants in a speedy  
17 trial. The court bases this finding on the need of the parties to conduct a settlement conference  
18 in this case with United States District Judge Ronald M. Whyte on December 12, 2007, to  
19 conduct further negotiations, and as time necessary for effective preparation, within the meaning  
20 of 18 U.S.C. Section 3161(h)(8)(B)(iv).

21  
22 It is so ordered:

23 Dated: 11/30/07

24   
\_\_\_\_\_  
JEREMY FOCHEL  
United States District Judge